

**REGULAR MONTHLY MEETING**  
**Mayor and Council**  
**Borough of Harrington Park, New Jersey**  
**October 21, 2013**

**(PAH) Call Meeting to Order**

**Time: 7:01pm**

**Mayor's Announcement:**

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been mailed to the BERGEN RECORD, SUBURBANITE and THE NORTHERN VALLEY PRESS. A copy has been filed with the Borough Clerk, and copies have been mailed to individuals requesting the same.

**(MF) Roll Call:**

	PRESENT	ABSENT
<b>Council</b>		
DUNLEA (JD)	x	
EVANELLA (GE)	x	
PEDERSEN (JP)	x	
RYAN (MR)	x	
NAPOLITANO(AN)		x
CHUNG (JC)	x	

**Also present:**

**Ann H. Bistrutz, Borough Clerk/Admin (ALB)**  
**Mr. John R. Dineen, Borough Attorney (JRD)**

**(MF) Flag Salute**

**MEETING PROCEDURE:**

- 1. Call Meeting to Order (Mayor)**
- 2. Mayor's Announcement (Mayor)**
- 3. Roll Call (Borough Clerk)**
- 4. Flag Salute (Borough Clerk)**
- 5. Minute Approval(s) (Mayor & Borough Clerk)**
- 6. Correspondence (Borough Clerk)**
- 7. Reports of Committees (Council Members)**
- 8. Old Business**
- 9. New Business**
- 10. Mayor's Report-Remarks, Announcements, Proclamations**
- 11. Public Discussion-Open-Motion**
- 12. Public Discussion-Close-Motion**
- 13. Ordinance (s)**
- 14. Ordinance (s) Second Reading**
- 15. Closed Session-Motion-Second**
- 16. Adjournment**

**(PAH) Suspension of the Regular Order of Business**

**Motion GE**

**Second JP**

**Vote AIF**

**Dr. Adam Fried and Board of Education members-Security Program**

**Closed Session Time: 7:04pm**

**Motion GE**

**Second JP**

**Vote AIF**

**WHEREAS**, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

**WHEREAS**, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

1. Security – BOE

**BE IT FURTHER RESOLVED** that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

**Return to Open Session Time: 7:18pm**

**Motion GE**

**Second JP**

**Vote AIF**

**(PAH) Return to the Regular Order of Business**

**Motion GE**

**Second JP**

**Vote AIF**

**(PAH) Minute Approval**

**Agenda Meeting September 9, 2013**

**Regular Meeting September 16, 2013**

**(noted changes)**

**MR requested correction in minutes to note that she was not provided sufficient time to review the Ordinance #683 since it was distributed at the same meeting it was voted on.**

**GE requested a correction in the spelling of Mr. John Mager's name.**

**Meeting October 1, 2013**

**Motion JD**

**Second GE**

**Vote AIF**

**(PAH) Consent Correspondence**

**SEE ADDENDUM “AA”**

Consent Correspondence be accepted and become a part of this meeting without Discussion

**Motion MR**

**Second JP**

**Vote AIF**

**(PAH) Consent Agenda-Resolutions**

**All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.**

**Addendums A-P ADDENDUM C TO BE VOTED ON SEPARATELY**

**JD Tax Judgment A**

**Release of Escrow B**

**JP Halloween Curfew D**

**Raffle License RA 229 Junior Woman’s Club E**

**Raffle License RA 230 Junior Woman’s Club F**

**MR Banner-5K G**

**Insurance Coverage for Green Team H**

**Insurance Coverage for First Friends/Quasi of Recreation Commission I**

**AN Electric Inspector J**

**Volunteer Fire Fighter Kevin Trainor K**

**Fire Truck Re-Auction L**

**JC Community Development Endorsement-Senior Activities M**

**Community Development Endorsement-Senior Van Driver N**

**Community Development Shared Service with Haworth-Senior Van Driver O**

**Affordable Housing Ad-Hoc Committee Member P**

**Motion: JP**

**Second: GE**

**Vote: AIF**

**Not on consent agenda:**

**(MR) Payment of Claims-C**

**Motion: GE**

**Second: JP**

**Discussion MR will be reimbursed for expenses related to Town Day/Recreation Commission**

**Vote: AIF, MR-abstain**

### **Individual Committee Reports**

**(JD) Finance, Administration & Exec., Grants, Newsletter**  
Item for Closed Session

**(GE) DPW, Recycling, Building & Grounds**  
DPW is full leaf collection mode.  
The Street Sweeper has been repainted and re-lettered for the Borough of Harrington Park.

**(JP) Police, Municipal Court, Public Assistance**  
492 Police Calls  
247 Traffic Enforcements  
23 school details  
Mutual aid with Dumont, DARE-Club 60, 1 police vehicle accident (damaged door)

**(MR) Recreation Commission, Environmental Commission  
Personnel & Performance Evaluations**  
Town Day was very successful, thank you to all volunteers and employees who helped with the event. A special thank you to Ms. Jennifer Brackenbury who chaired the event. MR also thanked her for her participation on the Recreation Commission, since she has recently resigned.

Environmental Commission has filed for recertification of Sustainable New Jersey. Part of the points for qualifying will be coming from the NJ Diversity Survey. The Green Team has provided this survey to be distributed to all the Boards, Commissions and Council members. Green Team has also helped sponsor this week's Walk or Bike to School program, conducted a lunch waste audit and will be setting up a Town wide Clean Up on November 16, 2013 from 12-4pm-locations to be determined.

Eagle Scout candidate Joe Niece has provided Council with an update on his project which will label flora and fauna in our parks. His sign construction and design has been changed to address weather related issues.

As part of the 2014 Super Bowl Program for New Jersey, the Environmental Commission applied for 3 Dogwood trees to be planted at Don Horsey Park. MR stated they are nice sized trees and the location will be determined by the Environmental Commission and Mark Kiernan.

The Ragamuffin parade is scheduled for October 26<sup>th</sup> at 10am at the Borough Hall Parking lot.

Trunk or Treat is planned for October 31 at 4pm-5pm in the Borough Hall Parking lot.

**(AN) Planning Bd., Bd. of Adjustment, Construction, Fire**

PAH reported on behalf of AN that Planning Board had an application for a minor subdivision for property involved between family members.

**(JC) Board of Health, Sanitation  
Liaison to Board of Education**

Flu Clinic was very successful-93 participants. 2012 was 75

Scott Weiner, Lou Apa and Annie Mongelia were thanked for their help. The program ran very smoothly.

Rabies Clinic-November 9, 2013 from 8-9am at the DPW. Old Tappan Veterinarians will be administering the vaccine.

The Borough/St. Andrew's Concert was very well attended by over 130 people. A generous amount of food and monetary donations were collected for the food pantry in Englewood. PAH and MR were thanked for their help and participation.

HP Teens for Tomorrow will be holding a costume drive to help support Apostle House and Shelter Our Sisters. A collection was held at Highland Field on October 12, 2013. The school has an ongoing collection that started October 11 and will go through October 25, 2013.

**(PAH) Mayor Hoelscher**

Paving has begun on Harriot Avenue. The Board of Education is working with the Police Department to ensure that pick up and drop off work smoothly.

**(ALB) Beautification Committee HP Entrance Sign**

Review the submitted conceptual plan

Motion to approve the design-MR, second JP-AIF

Planting have already taken place throughout the town and at Borough Hall.

GE inquired into where the money will be coming from to pay for these projects. PAH explained that all projects are either donations or plans are to have future fundraising programs.

**Best Practices**

Score of 94% which entitles the Borough to the full amount of awarded State Aid.

ALB and Ms. Curran, CFO are considering Procurement Cards for next year.

**FEMA**-Partial funds have been received in an amount of over \$74,000.00

**Old Business**

**(GE) OBG Retaining Wall Project**

**Ad-Hoc Committee for OBG Project**

GE was asked by PAH to chair the ad-hoc committee. Not only does GE hold a Council seat, but works often at the cemetery to help clean up and maintenance.

GE stated a letter was sent out from the Historical Society with suggestions for committee members to review plans and discuss suggestions.

## **MOTION**

A motion was made by Councilman Pedersen to appoint Councilman Gregory Evanella as Chair of the Ad-Hoc Committee for the Old Burying Ground Retaining Wall project with the following appointed members:

Mayor Paul A. Hoelscher

Ms. Ann H. Bistriz, Clerk/Admin.

Ms. Gerri Gibney, President, Historical Society

Mr. Davis Ross, Historical Society

Mr. John Mager, Historical Society

Seconded by Councilman John Dunlea

Vote: All in favor.

PAH thanked GE for accepting the Chair position-he has a long history with this ongoing project.

## **New Business**

**(JD) Requesting Approval for Authorization of an Emergency Appropriation in Accordance with N.J.S.A. 40A:4-46 – Planning Board – Other Expenses R**

**Requesting Approval for Authorization of an Emergency Appropriation in Accordance with N.J.S.A. 40A:4-46 – Financial Administration – Other Expense S**

**Requesting Approval for Authorization of an Emergency Appropriation in Accordance with N.J.S.A. 40A:4-46 – Legal Services – Other Expenses – Special Counsel T**

Above resolutions are necessary to cover the above unforeseen expenditures.

**Motion: JD**

**Second: JP**

**Vote: AIF**

**(MR) Spring Street Fair**

To be discussed at a later date.

**(JC) Diversity Survey**

All the Boards and Commissions along with Mayor and Council have been requested to fill out these anonymous surveys and return to the Borough clerk by November 30, 2013.

**Sanitation Contract Resolution U**

2 bids for collection were received and 3 for disposal.

The increase for each of the next 3 years on the lowest bid is \$12,500.00

The Borough will be receiving increased services, single stream collection and grass clipping pick up through Nov. 15.

**Motion: JC**

**Second: MR**

**Roll Call: AIF**

PAH thanked all committee members for their time and effort. The Sanitation Contract is one of the most important aspects in the town. JC noted that the committee was very helpful and a learning experience of all. Currently the contract annually is \$156,218.00, new contract is \$168,800.00 MR stated it was a pleasure and enjoyable working with JC and AN. JC added that we will be saving on dumping fees (once we decide who will receive the contract), and will be making recycling easier and more efficient.

**(PAH) Appointment to Recreation Commission**

PAH is waiting for an answer from potential volunteer to fill the vacated seat.

MR requested to discuss the appointment of two alternates to serve on the Commission since there may be additional vacancies next year. Research has shown MR that the Ordinance does not need to be amended, but rather the appointments could be made by resolution. This would provide new members the opportunity to learn the dynamics of the Commission prior to them filling a full membership position.

GE did not feel the additional members were necessary-those that are appointed should be committed enough to fulfill the tasks that are required of being a member of the Recreation Commission. An abundance of volunteers does not guarantee that there will be a quorum. MR reiterated that by having additional members, knowledge of proceedings will not be lost when a member resigns.

PAH added that this was already discussed with this Council and it, unanimously, did not have any support. If a member resigns, one will be appointed as soon as time permits. This has historically worked well. GE was in agreement; historically one never knows what shall happen with members once they are appointed.

**Capital Alternative/Brookside Village Generator Application Q**

During hurricane Sandy the conditions at Brookside Village were dangerous. In order to receive a grant for generators, the Borough needs to sponsor the project, and Brookside will pay all expenses outside of the grant.

Motion GE

Second MR

Vote-AIF

**(PAH) Mayor's Report**

- Riverside Cooperative has provided information from Paramus that has a licensed mechanic that can repair our trucks, etc. at reduced costs. Will forward to the DPW, Fire Dept. and Ambulance Corps.
- The Community Church will be holding a service and reception on Sunday October 27 in honor of Rev. Kaden who will be leaving. He will be honored with a Certificate of Appreciation on behalf of the Borough.
- Thank you to Dr. Fried who spearheaded the Lightening Detection System that will cover a 20 mile range to provide safety to our school and Borough fields.
- Mayor Heymann from Closter and PAH are on the Random Drug Testing committee and they are hoping to extend any decisions the BOE many have-next meeting is October 28, 2013.

**Meeting Open to the Public**

Motion GE

Second JP

Vote AIF

**Frank Blandino-Action Carting** inquired into why Council has not awarded the tipping portion of the Sanitation Contract. JRD received the company's letter and is still researching all options for the Borough. This will be discussed in closed session and the Borough will still be under the 60 day time frame. Mayor and Council need to be brought up to speed.

**Brian McElroy-Herring Street** is in opposition to Ordinance #683. The administration had held a non-binding referendum that supported the interest of residents to consolidate police departments. With such a small staff there is no need to have such an extensive chain of command.

GE responded that the study to consolidate fell apart since there was little cooperation with Norwood. Added to that was the caveat that if the towns involved in a consolidation study were unable to create an agreement, each municipality would have to pay the expense for the study themselves.

Mr. McElroy feels this is not a way to save taxpayer money, and has no real benefit to the community.

JP responded that he has taken much time to consider benefits- and detriments, and there is no downside. This position will take whoever is promoted to it out of the PBA and they will no longer be paid overtime or any of the benefits the police contract provides.

MR clarified that overtime is not pensionable, and in support of Mr. McElroy's statement that this position is still creating a salary increase and a position that is not necessary.

**Jeanne Serrano-Downing Place** is in agreement with Mr. McElroy. There should be some controls over budget increases. The taxes continue to increase with no control in sight. Ms. Serrano compared the Harrington Police Department to that of New York City. Officers and patrolmen in the city get paid much less than those in the Borough. The department size and responsibilities are much less in Harrington Park and that should be considered.

**Motion to Close Public-JP**

**Second MR**

**Vote AIF**



## Ordinances

### (JD) Ordinance #683-Second Reading V

#### Ordinance Amending Chapter 66 of the Code of The Borough Of Harrington Park

	MOTION	SECOND				
Roll Call Vote			YES	NO	ABSTAIN	ABSENT
DUNLEA (JD)			x			
EVANELLA (GE)			x			
PEDERSEN (JP)	x		x			
RYAN (MR)				x		
NAPOLITANO(AN)						x
CHUNG (JC)		x	x			

### Discussion

JP requested to clarify a couple of items that were discussed earlier in the meeting. First, the Chief's salary is \$169,000.00, and is less than other chief's in the area. Second, this ordinance is only creating a position as an alternate to the collective bargaining agreement. Third, since there will be no overtime paid at approximately \$125/hour or fringe benefits that are built into the PBA contract, this position would save the Borough money. A number of towns already have created the position of Deputy Chief. Promotions have not been considered in our Police Department in a very long time. By promoting people out of the PBA contract, money can be saved for the Borough. There is no financial reason why this should not be done. Plus it creates a strong chain of command in what is a quasi-military organization.

PAH added that no additional personnel would be hired. If anyone would like a list of the exact salaries of the Police Department employees he can have that supplied. We can also include salaries from neighboring municipalities.

### Open to Public

**(Previous public discussion from earlier in the meeting shall apply to this portion of the meeting)**

**Motion JP**

**Second JC**

**Vote AIF**

**Mr. McElroy**-When Chief Maalouf was made Acting Chief, that was a measure to save money, then, he was made Chief and received a substantial raise in salary. This ordinance is promoting the same mindset. Overtime needs to be addressed as well as instilling more use of Mutual Aid with other towns. MR agreed with Mr. McElroy that overtime in the

police department is a huge issue and needs to be closely reviewed. Discussion followed with JP and Mr. McElroy.

JP added that those who respond (Police) at 2am, are not collecting overtime-that is during the regular shift. GE added that at 2am-there may only be one officer available through Harrington Park and other towns are called to assist in responding to a call.

**Closed to Public**

**Motion JP**

**Second GE**

**Vote AIF**

**(JD) Ordinance #684 –Second Reading W**

**Amendment to Ordinance #680 for the Salary, Wage or Compensation of Persons Holding Office, Position or Employment in the Borough of Harrington Park**

**Motion**

**Second**

**Discussion**

**Vote**

	MOTION	SECOND				
Roll Call Vote			YES	NO	ABSTAIN	ABSENT
DUNLEA (JD)			x			
EVANELLA (GE)	x		x			
PEDERSEN (JP)		x	x			
RYAN (MR)			x			
NAPOLITANO(AN)						x
CHUNG (JC)			x			

ALB explained the purpose of this standard amendment to an Ordinance. Employees cannot be paid a salary increase unless the Salary Ordinance reflects the approved amount.

**Open to Public**

**Motion GE**

**Second JP**

**Vote AIF**

**No public discussion.**

**Closed to Public**

**Motion JP**

**Second MR**

**Vote AIF**

**Closed Session 8:31pm**

**Motion GE**

**Second JP**

**Vote AIF**

**RESOLUTION**  
**CLOSED SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

**WHEREAS**, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

1. Contracts-Sanitation/Disposal
2. PBA Contract Negotiation
3. Contract-Finance

**BE IT FURTHER RESOLVED** that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

**Return to Open Session Time: 9:32pm**

**Motion GE**

**Second JP**

**Vote AIF**

**Adjournment: 9:33pm**

**Motion GE**

**Second JP**

**Vote AIF**

**ADDENDUM A**  
**RESOLUTION**

**FROM THE TAX COLLECTOR'S OFFICE**  
**TAX COURT JUDGMENT**

**WHEREAS**, a resolution was approved by Mayor and Council at its May 20, 2013, meeting instructing the Treasurer/Tax Collector to issue a check with reference to a tax court judgment for Mr. Jeong, 64 Guy Street. The Treasurer/Tax Collector has been informed by the taxpayer's attorney that the check has never been received and the attorney requests that the check be reissued in the attorney's name and be sent to the office Rubin & Dombeck, LLC, 141 Ayers Court, Suite B, Teaneck, NJ 07666;

**WHEREAS**, upon such issuance of a new replacement check, the original check will be cancelled and a stop payment will be placed on the original check by the CFO;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey that the Borough Treasurer/Tax Collector be and is hereby authorized and directed to prepare the necessary check as listed above.

**WHEREAS**, a Memorandum of Judgment issued by the Tax Court has been received by the Tax Collector concerning a reduction in the assessment of the following property for the tax year 2011 (and subsequent years of 2012 and 2013 per the "Freeze Act") thereby creating the need to issue a property tax refund as follows:

**Block 1311, Lot 5                      JEONG, JI Y.  
   64 Guy Street  
   Harrington Park, NJ 07640**

<b>2011 ORIGINAL ASSESSMENT</b>		<b>TAX BOARD JUDGMENT</b>
Land:	\$ 541,400	\$ 388,400
Impvts.:	\$ 286,600	\$ 286,600
Total:	\$ 828,000	\$ 675,000

**Total 2011 Refund: \$3,092.13**

<b>2012 ORIGINAL ASSESSMENT</b>		<b>TAX BOARD JUDGMENT</b>
Land:	\$ 541,400	\$ 388,400
Impvts.:	\$ 286,600	\$ 286,600
Total:	\$ 828,000	\$ 675,000

**Total 2012 Refund: \$3,183.93**

**GRAND TOTAL: \$6,276.06**

**ADDENDUM B**  
**RESOLUTION**

**WHEREAS**, the work at 131 Norma Street, has been completed and Neglia Engineering has confirmed that there are no outstanding bills;

**WHEREAS**, the applicant, Carmine D'Ambra, of JC Builders has requested a refund of the balance in his escrow account

**WHEREAS**, the CFO has verified the account balance of \$1,039.76 and that there were deposits of \$2,450.00 and withdrawals (expenditures) of \$1,410.24 ;

**WHEREAS**, the CFO requests that the Mayor and Council approve the release of the funds;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the

Borough of Harrington Park in the County of Bergen, New Jersey, hereby gives permission to the CFO to issue a check in the amount of \$1,039.76.

**ADDENDUM C**

**RESOLUTION**

**PAYMENT OF CLAIMS CERTIFICATION**

I hereby certify that funds are available for the following disbursements:

2012 Appropriation Reserve	\$	
2013 Current Fund	\$	5,088,119.29
Payroll Sept. 20, Oct 4 & 18	\$	300,432.52
Trust Fund	\$	15,526.61
Dog Revenue Fund		
Capital Fund	\$	23.98
Open Space (Lighting Detection System)	\$	16,953.66

JUDITH CURRAN, CFO  
October 21, 2013

**Addendum D**

**RESOLUTION**

**HALLOWEEN CURFEW**

**WHEREAS**, in the past few years the damage to private homes, autos and Borough property has decreased as a result of invoking the Halloween curfew, and

**WHEREAS**, the Borough Officials are desirous of continuing the curfew to insure protection to property owners and citizenry in general, and

**WHEREAS**, the young people should have adequate time to visit all the homes for the purpose of "Trick or Treat" in the afternoon and evening hours before 7:00 p.m. Thursday, October 31<sup>st</sup>, 2013.

**NOW, THEREFORE**, by the authority granted under Title 40-87-31, I, Paul A. Hoelscher, Mayor of the Borough of Harrington Park, do proclaim that a 7:00 p.m. curfew will be in effect on the evenings of Wednesday, October 30<sup>th</sup> and Thursday, October 31<sup>st</sup>, 2013.

**AND PROCLAIM** that all persons under the age of 18 shall be off the streets of the Borough from 7:00 p.m. till 6:00 a.m. of the following morning of each of these days.

**AND FURTHER PROCLAIM** that the fire siren will sound a single blast at 7 p.m. of each evening notifying all residents that the curfew is in effect.

**AND FURTHER PROCLAIM** that any person under 18 years of age apprehended on the streets will be told to return to their homes. If they refuse or are apprehended a second time, a summons shall be issued.

**ADDENDUM E**  
**RESOLUTION**

**On Premises Raffle License RA229-Junior Woman's Club.**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that the On Premise Raffle Application RA # 229 for the Harrington Park Junior Woman's Club , to be held on December 7, 2013, 8pm-Noon at 1 Spring Street, Harrington Park be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

**ADDENDUM F**  
**RESOLUTION**

**On Premises 50/50 Raffle License RA230-Junior Woman's Club.**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that the On Premise 50/50 Raffle Application RA # 230 for the Harrington Park Junior Woman's Club, to be held on December 7, 2013, 8pm-Noon at 1 Spring Street, Harrington Park be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

**ADDENDUM G**  
**MOTION**

Approval for signage for the HP Fall Spectacular 5K to be held November 16, 2013 across Schraalenburgh Road or another location designated by the Chief of Police and at Highland Field on Tappan Road. Sports Boosters shall provide appropriate certificate of insurance and will remove the sign promptly after the event takes place.

**ADDENDUM H**  
**RESOLUTION**

**QUASI PUBLIC ENTITY INSURANCE COVERAGE**  
**HP GREEN TEAM**

**WHEREAS**, the Borough of Harrington Park is a participant of the Bergen Municipal Joint Insurance Fund (BMJIF) relative to General Liability and other coverage; and

**WHEREAS**, BMJIF has adopted certain criteria to distinguish between bona fide municipal activities and other quasi-public entities not sponsored by the municipality and therefore not subject to coverage by the BMJIF; and

**WHEREAS**, it has been determined that in order to be covered by the BMJIF an organization or activity meet the trust that its foundation is of the type that historically municipalities have undertaken themselves or have provided with insurance coverage and/or one which advances a bona fide local public purpose on a non-profit basis typically met by local government, the benefits of which are available to the municipality in general; and

**WHEREAS**, The Borough has asked BMJIF to extend General Liability and Non-Owned Automobile Liability Coverage to the following:

## **Harrington Park Green Team- Environmental Resource Programs-Quasi-Public**

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Harrington Park the following:

It is hereby certified that the above organization exists with the Borough has a bona fide, charitable, educational, recreational activity of the municipality and supports services to the municipality in general as such is subsidized directly or indirectly by the municipality.

The Borough of Harrington Park does hereby request this organization be named as an additional named Insured for General Liability and Non-Owned Automobile Liability Coverage in accordance with the applicable limits and restrictions.

A certified copy of the Resolution shall be filed with the Bergen Municipal Joint Insurance Fund.

### **ADDENDUM I** **RESOLUTION**

### **QUASI PUBLIC ENTITY INSURANCE COVERAGE**

#### **FIRST FRIENDS**

**WHEREAS**, the Borough of Harrington Park is a participant of the Bergen Municipal Joint Insurance Fund (BMJIF) relative to General Liability and other coverage; and

**WHEREAS**, BMJIF has adopted certain criteria to distinguish between bona fide municipal activities and other quasi-public entities not sponsored by the municipality and therefore not subject to coverage by the BMJIF; and

**WHEREAS**, it has been determined that in order to be covered by the BMJIF an organization or activity meet the trust that its foundation is of the type that historically municipalities have undertaken themselves or have provided with insurance coverage and/or one which advances a bona fide local public purpose on a non-profit basis typically met by local government, the benefits of which are available to the municipality in general; and

**WHEREAS**, The Borough has asked BMJIF to extend General Liability and Non-Owned Automobile Liability Coverage to the following:

#### **First Friends- Social and Recreational Programs for Pre School Aged Children-Quasi-Public**

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Harrington Park the following:

It is hereby certified that the above organization exists with the Borough has a bona fide, charitable, educational, recreational activity of the municipality and supports services to the municipality in general as such is subsidized directly or indirectly by the municipality.

The Borough of Harrington Park does hereby request this organization be named as an additional named Insured for General Liability and Non-Owned Automobile Liability Coverage in accordance with the applicable limits and restrictions.

A certified copy of the Resolution shall be filed with the Bergen Municipal Joint Insurance Fund.

**ADDENDUM J**  
**RESOLUTION**

**Appointment of Construction Code Official and Zoning Official**

**WHEREAS**, there is a vacancy in the position of Electric Subcode Inspector due to the retirement of the current Electric Subcode Inspector as of November 1, 2013.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that Mr. Frank Dyer (License #006928) be and is hereby appointed as Electric Subcode Inspector for the Borough of Harrington Park at an annual salary of \$7,500.00 based upon 4 hours of posted office hours per week plus additional review and inspection hours if necessary; and

**BE IT FURTHER RESOLVED** that the appointment for Electric Subcode Inspector is for a four (4) year term in accordance with the provisions of N.J.A.C. 5:23-4.6.

**ADDENDUM K**  
**Motion**

To approve the admittance Kevin M. Trainor, Park Ridge, New Jersey as an active member in the Harrington Park Volunteer Fire Department and shall also be approved for membership in the New Jersey's State Fireman's Association

**ADDENDUM L**  
**RESOLUTION**

**AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**  
**SECOND AUCTION**

**WHEREAS**, the Borough of Harrington Park is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Mayor and Council are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

**NOW THEREFORE**, be it **RESOLVED** by the Mayor and Council of the Borough of Harrington Park, County of Bergen, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.
- (2) The sale will be conducted online starting October 30, 2013 and running through November 6, 2013 and the address of the auction site is govdeals.com.
- (3) Sale is being conducted pursuant to Local Finance Notice 2008-9.



- (4) A list of the surplus property to be sold is as follows:  
1982 Mack Fire Truck Model MC685F
- (4) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (5) Borough of Harrington Park reserves the right to accept or reject any bid submitted.

**ADDENDUM M**  
**RESOLUTION**

**TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS**

**Senior Citizen Activities**

**WHEREAS**, a Bergen County Community Development grant of \$4,000.00 has been proposed by the Mayor and Council for Senior Citizen Activities in the municipality of Harrington Park, and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

**WHEREAS**, the aforesaid project is in the best interest of the people of Harrington Park, and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of Borough of Harrington Park hereby confirms endorsement of the aforesaid project, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

**ADDENDUM N**  
**RESOLUTION**

**TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS**

**Senior Van Driver**

**WHEREAS**, a Bergen County Community Development grant of \$8,500.00 has been proposed by the Mayor and Council for Senior Van Driver expenses in the municipality of Harrington Park, and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

**WHEREAS**, the aforesaid project is in the best interest of the people of Harrington Park, and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of Borough of Harrington Park hereby confirms endorsement of the aforesaid project, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited

**ADDENDUM O**  
**RESOLUTION**

**Community Development Senior Van**

WHEREAS, the Borough of Harrington Park and the Borough of Haworth participate in an Interlocal Agreement in connection with the sharing of a van providing transportation to senior citizens.

NO THEREFORE BE IT RESOLVED, the Borough of Haworth in agreement with the Borough of Harrington Park will serve as Lead Agency to administer the Grant Agreement through the Community Development program with the County of Bergen.

**ADDENDUM P**  
**RESOLUTION**

WHEREAS, the Borough of Harrington Park has established an Ad Hoc Committee for Low Income Housing and Brookside Village;

WHEREAS, the Mayor and Council have determined that additional community minded individuals are needed to serve on such committee;

WHEREAS, the Mayor has offered the name of Irene De Genaro as an individual who has agreed to serve on such committee;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that it hereby accepts the nomination of Irene De Genaro to serve on the Ad Hoc Committee for Low Income Housing and Brookside Village within the Borough of Harrington Park to serve at the Will and Sufferance of the Mayor and Council and that the Clerk shall so advise Irene DeGenaro of her appointment.

**ADDENDUM Q**  
**RESOLUTION**

WHEREAS, Brookside Village is a Senior Citizen home within the Borough of Harrington Park which addresses the needs of seniors within the Borough;

WHEREAS, Brookside Village is desirous of obtaining funding for the installation of a generator (s) at its facilities;

WHEREAS, Community Development is a local agency which supplies grants and funding for meritorious projects and requests;

WHEREAS, Capital Alternatives works with the Borough of Harrington Park in securing grants and funding;

WHEREAS, Brookside Village seeks the assistance of the Borough of Harrington Park and Capital Alternatives in processing an application to secure a grant for the installation of the generators;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that it hereby agrees to support, assist and participate in a grant application through Capital Alternatives by and on behalf of Brookside Village for the purpose of securing funding for the generators provided that all costs, fees and assessments in connection with such application shall be paid directly by Brookside Village to Capital Alternatives or others in connection with such grant application and with out financial participation by the Borough of Harrington Park.

**ADDENDUM R**  
**RESOLUTION**

**Requesting Approval for Authorization of an Emergency Appropriation in Accordance with N.J.S.A. 40A:4-46 – Planning Board – Other Expenses**

WHEREAS, an emergency has arisen with respect to unforeseen costs relating to the Borough's Council on Affordable Housing (COAH) review, and

WHEREAS, no adequate provision was made in the 2013 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is .....\$19,000  
and, three percent (3%) of the total operating appropriations in the budget for the fiscal year 2013 is .....\$156,875.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Harrington Park, in the County of Bergen, State of New Jersey, that in accordance with N.J.S.A. 40A:4-48, petition be made to the Director of the Division of Local Government Services for the creation of an appropriation set forth in the preamble in accordance with the following:

1. An emergency appropriation be and the same is hereby made for:

Planning Board – Other Expenses

\$9,000

2. Said emergency appropriation shall be provided for in full in the 2014 budget or from a refunding bond ordinance pursuant to N.J.S.A. 40A:2-51
3. That funds for the appropriation shall be provided from surplus funds on hand.
4. That an “Emergency Note” may be executed by the Chief Financial Officer and by the Borough Clerk.
5. That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.
6. That the statements required by the Local Finance Board have been filed with the Clerk and a copy thereof will be transmitted to the Director of the Division of Local Government Services.
7. This resolution shall take effect after approval of the Director of the Division of Local Government Services.

This Resolution shall take effect immediately.

**ADDENDUM S**  
**RESOLUTION**

**Requesting Approval for Authorization of an Emergency Appropriation in Accordance with N.J.S.A. 40A:4-46 – Financial Administration – Other Expenses**

WHEREAS, an emergency has arisen with respect to financial administration as a result of unforeseen professional fees relating to the financial accounting software conversion and related matters, and

WHEREAS, no adequate provision was made in the 2013 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is .....\$10,000  
and, three percent (3%) of the total operating appropriations in the budget for the fiscal year 2013 is .....\$156,875.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Harrington Park, in the County of Bergen, State of New Jersey, that in accordance with N.J.S.A. 40A:4-48, petition be made to the Director of the Division of Local Government Services for the creation of an appropriation set forth in the preamble in accordance with the following:

8. An emergency appropriation be and the same is hereby made for:

Financial Administration – Other Expenses

\$10,000

9. Said emergency appropriation shall be provided for in full in the 2014 budget or from a refunding bond ordinance pursuant to N.J.S.A. 40A:2-51
10. That funds for the appropriation shall be provided from surplus funds on hand.
11. That an “Emergency Note” may be executed by the Chief Financial Officer and by the Borough Clerk.

12. That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.
13. That the statements required by the Local Finance Board have been filed with the Clerk and a copy thereof will be transmitted to the Director of the Division of Local Government Services.
14. This resolution shall take effect after approval of the Director of the Division of Local Government Services.

This Resolution shall take effect immediately.

#### **ADDENDUM T** **RESOLUTION**

#### **Requesting Approval for Authorization of an Emergency Appropriation in Accordance with N.J.S.A. 40A:4-46 – Legal Services – Other Expenses – Special Counsel**

WHEREAS, an emergency has arisen with respect to unforeseen legal costs as a result of certain personnel matters, and

WHEREAS, no adequate provision was made in the 2013 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is .....\$23,000  
and, three percent (3%) of the total operating appropriations in the budget for the fiscal year 2013 is .....\$156,875.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Harrington Park, in the County of Bergen, State of New Jersey, that in accordance with N.J.S.A. 40A:4-48, petition be made to the Director of the Division of Local Government Services for the creation of an appropriation set forth in the preamble in accordance with the following:

15. An emergency appropriation be and the same is hereby made for:

Legal Services – Other Expenses	
Special Counsel	\$4,000

16. Said emergency appropriation shall be provided for in full in the 2014 budget or from a refunding bond ordinance pursuant to N.J.S.A. 40A:2-51
17. That funds for the appropriation shall be provided from surplus funds on hand.
18. That an “Emergency Note” may be executed by the Chief Financial Officer and by the Borough Clerk.
19. That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.
20. That the statements required by the Local Finance Board have been filed with the Clerk and a copy thereof will be transmitted to the Director of the Division of Local Government Services.
21. This resolution shall take effect after approval of the Director of the Division of Local Government Services.

This Resolution shall take effect immediately.

**ADDENDUM U**  
**RESOLUTION**

WHEREAS, the Borough of Harrington Park did advertise for sealed bids for a Contract for disposal of Solid Waste and Recyclables in the Borough of Harrington Park pursuant to NJSA 48:13A-7.22, N.J.S.A. 40A: 11-1 et seq. and NJAC 7.26 H-6.4; and

WHEREAS sealed proposals were received by the Borough Clerk on September 18, 2013 and read aloud along with necessary bidding documents and bonds; and

WHEREAS, the Borough Attorney and Borough Clerk determined that the lowest and best bid has been submitted by Miele Sanitation Company, 60 Railroad Ave., Closter, NJ 07624 with the following results:

Curbside Trash Collection (Wednesday & Saturday)

2X per week/April 1 to October 31

1X per week (Wednesday) November 1 to March 31

1X per week Grass Clippings (Monday) April 1 to November 15

Grass and Garden Clippings Curbside Collection an additional 1X per week April 1 to November 15

Municipal Building, Parks, Tennis Courts and Downtown Shopping Area 1X per week  
Curbside Recycling Collection with single stream recycling service on Thursday (no collection on a 5th Thursday of any month), year round, for mixed paper (including newspapers, telephone books, magazines, corrugated cardboard, Brown paper bags, shiny paper, junk mail), plastic, tin and metal, aluminum, and mixed glass commingled in one (1) container all for the combined and total sum of \$506,400.00 for the 3 year period.

WHEREAS, the Borough Treasurer has certified that funds will be available,

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the lowest and best bid be awarded to Miele Sanitation Company, as hereinbefore stated in this Resolution.

The Mayor, Clerk or such other authorized person shall execute the contract with Miele Sanitation Co. for the services referenced above.

**Addendum V**  
**ORDINANCE # 683**

ORDINANCE AMENDING CHAPTER 66 OF THE CODE OF THE BOROUGH OF HARRINGTON PARK

WHEREAS, the Mayor and Council of the Borough of Harrington Park have determined that it is in the best interest of the Borough of Harrington Park to amend the Harrington Park Code Chapter 66, Police Department, for the health and safety and welfare of its citizenry;

NOW THEREFORE BE IT ORDAINED that Chapter 66, Police Department is hereby amended as follows:

Chapter 66-2 A. The Chief of Police or in his absence the Deputy Chief of Police or Director shall be the head of the Police Department and shall be directly responsible to the Police Committee, as the appropriate authority pursuant to N.J.S.A. 40:A:14-118, for the efficiency and routine day-to-day operations of the Police Department and shall, pursuant to policies established from time to time by the Police Committee, and pursuant to the rules and regulations established from time to time by the Mayor and Council for the government of the Police Department and for the discipline of its members (the "Police Rules and Regulations") as said Police Rules and Regulations are from time to time amended, supplemented and/or superseded by directives from any law enforcement agency (including, but not limited to, the State Attorney General and the Bergen County Prosecutor) or supplemented by general and/or special orders issued by the Chief of Police or in his absence the Deputy Chief of Police:

Chapter 66-4 A. The Police Department shall be under such supervision and control of the Police Committee of the Mayor and Council as is delegated to the Police Committee from time to time by the Mayor and Council. The Police Committee shall, on a day-to-day basis, be the appropriate authority pursuant to N.J.S.A. 40:A:14-118 to whom the Police Chief or in his absence the Deputy Chief of Police or Director shall be immediately responsible for the efficiency and routine day-to-day operations of the Police Department, and shall have the authority to establish from time to time policies to ensure the efficiency and orderly operation of the Police Department. In addition, it shall be the responsibility of the Police Committee to make recommendations to the Mayor and Council with respect to decisions such as, but not limited to, hiring, firing and promoting personnel; compensation; the purchase of equipment; the organization of the Police Department; and all other like matters.

Chapter 66-5 A In addition to the Chief of Police or Director, the permanent members of the Police Department may, in the discretion of the Mayor and Council, include one Deputy Chief of Police, one or more Captains of Police, Lieutenants of Police and Sergeants of Police, as well as such number of patrol officers as the Mayor and Council deem necessary.

Chapter 66-9 B. Said complaint shall be signed by the Chief of Police or in his absence the Deputy Chief of Police or Director and filed in the office of the Borough Clerk, except where the complaint is against the Chief of Police, Deputy Chief of Police or Director, in which case the complaint shall be signed by the Police Chair or any member of the Police Committee or the Mayor and filed in the office of the Borough Clerk.

Chapter 66-9 G. At the hearing on the complaint, the matter may be presented by the Chief of Police, Deputy Police Chief or Director alone or, in the discretion of the Mayor and Council, by the Chief of Police, Deputy Police Chief or Director with the assistance of special counsel appointed by the Mayor and Council.

Chapter 66-11 A The Police Force shall comprise of such a number of personnel as the Mayor and Council shall resolve to employ but not to exceed nine patrolmen, two Sergeants, two Lieutenants, one Captain , one Deputy Chief of Police and one Chief or Director.

B. The chain of authority and reporting shall be as follows: The Chief or Director shall have authority over all lesser rank, followed by the Deputy Chief of Police, the Captain, followed by the Lieutenants, followed by the Sergeants, followed by the patrolman assigned as "patrolman in command" and if no such designation, then in the absence of personnel with greater rank, then the most senior patrolman.

Non-repealer. All other sections of the revised Borough ordinance not specifically amended by the provisions of this ordinance shall remain in full force and effect.

Severability. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

Repealer. All ordinance or parts of ordinance inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

Effective date. This ordinance shall take effect immediately upon final passage and publication as required by law.

**Addendum W**  
**ORDINANCE No. 684**

AN ORDINANCE TO AMEND ORDINANCE #680 THE  
SALARY, WAGE OR COMPENSATION OF PERSONS  
HOLDING OFFICE, POSITION OR EMPLOYMENT IN  
THE BOROUGH OF HARRINGTON PARK, COUNTY OF  
BERGEN, STATE OF NEW JERSEY.

Be it ordained by the Mayor and Council of Harrington  
Park as follows:

(Full Time)  
Or Manner of



<u>Description</u>	<u>(Part Time)</u>	<u>Payment</u>	<u>Minimum</u>	<u>Maximum</u>
Borough Administrator. ....	F .....	C .....	\$ 10,000.00	- \$15,000.00
Construction:				
Code Enforcement Official .....	P .....	C .....	\$ 5500.00	- \$ 6500.00
School Guards .....	P .....	D ....	Hired prior to 9/2009	- \$ 43.00/day
	P .....	D ....	Hired after 9/2009	- \$ 33.00
School Guards—Special Assign ....	P .....	D .....		\$13.16/hr.

Manner of Payment (Explanatory references to the above)

- A – Annual Salaries – paid quarterly during first pay period - March, June, Sept., and Dec.
- B – Per Meeting - vouchered
- C – Annual Salaries – paid on bi-weekly basis
- D – Hourly basis – paid bi-weekly on a submitted voucher
- E – Annual Salary – paid once a year
- F - Per session - vouchered
- G - paid quarterly - vouchered
- H - Annual Salary - paid monthly
- I – Hourly basis – On submitted voucher – paid monthly

**Addendum AA**  
**Correspondence**

Correspondence

9/17/13

Cablevision updates.

9/23/13

As Built Survey Review-11 Eastbrook Road.

Foreclosure initiation for 5 Beechwood Place.

Reso. Dumont-Opposed to UWR Rate Increase.

9/24/13

Email Ordinances from Board of Chosen Freeholders-September 22, 2013

9/25/13

Approval and Compliance from NJDEP regarding the Borough Compost facility.

Minor Soil Application-93 Bogerts Mill Road (Neglia).

9/26/13

Superior Court Recommendation for new hires of court employees received.

As Built (Neglia) 37 Nelson Street.

Interboro Radio correspondence regarding County Dispatching.

9/30/13

Tax Court information B1316 Lot 11

Subdivision Planning Board-Oct 8 meeting.

10/1/13

Hackensack Riverkeeper Summer 2013.

10/2/13

2% increase expected in NJLM dues for 2014.

10/3/13

Email correspondence Chosen Freeholders.

Email from BCUA regarding Tonnage Grant 2011 in the amount of \$8648.93.

10/9/13

BCUA Connection Fee Workshop Correspondence CC with Building Department.

BCUA Tax Exempt user list.

Wiss and Bouregy update regarding past litigation.

River Edge Resolution regarding UWR Rate Increase.

10/15/13

MEL/JIF Property Program Renewal Change Correspondence.

2013 Certification of Equalized Valuations.

Resolutions and Ordinances received from Board of Chosen Freeholders received (October 2, 2013 meeting).

Resume received from Mr. Hughes regarding DPW and Personnel Manager consideration.

10/16/13

MEL/JIF Correspondence regarding Hurricane Sandy and FEMA Claims.